

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2012-071277

12/17/2013

HONORABLE JOSE S. PADILLA

CLERK OF THE COURT

L. Slaughter

Deputy

IN RE THE MARRIAGE OF  
LOYD JOSHUA HASTINGS SR.

LOYD JOSHUA HASTINGS SR.  
P O BOX 382  
MORRISTOWN AZ 85342

AND

NANCY A HASTINGS

NANCY A HASTINGS  
110 N DEBS CIR  
CIRCLE CITY AZ 85342

MINUTE ENTRY

Courtroom 122-NWR

9:17 a.m. This is the time set for Return Hearing. Petitioner/Father is present on his own behalf. Respondent/Mother is neither present nor represented by counsel.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Loyd Hastings is sworn.

Discussion is held regarding Father's parenting time.

The Court advises Father that the parenting plan was put in place on February 20, 2013, can not be modified for one year.

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9:21 a.m. Court stands at recess.

9:25 a.m. Court reconvenes with Father present in the courtroom. Respondent/Mother now appears telephonically.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Nancy Hastings is sworn.

The Court clarifies parenting time as follows;

**IT IS ORDERED** that Father's next block of parenting time shall be from 6:00 p.m. December 22, 2013, through 6:00 p.m. December 29, 2013, and every other week thereafter.

**IT IS FURTHER ORDERED** that the parent entitled to Christmas in 2013, shall exercise parenting time from 8:00 a.m. Christmas Day to 8:00 a.m. December 26, 2013.

**IT IS FURTHER ORDERED** that the parties shall continue with week on/week off parenting time with all exchanges taking place on Sundays at 6:00 p.m.

No further action shall be taken.

9:33 a.m. Hearing concludes.

LATER:

The Court has received and considered Father's Enforcement of Divorce Decree on September 18, 2013.

**IT IS ORDERED** setting an **Evidentiary Hearing** re: Father's Motion re: Enforcement of Divorce Decree on **January 14, 2014, at 11:30 a.m.** (time allotted: 30 minutes) before the Honorable Jose S. Padilla, located at 14264 West Tierra Buena Lane, Courtroom 122, Surprise, Arizona 85374.

**IT IS FURTHER ORDERED** that, if either party has exhibits to be marked, counsel or the parties shall deliver said exhibits to the Clerk **at least five (5)** business days prior to trial. Duplicate exhibits shall not be presented. The parties shall also provide the Court and the adverse party with a separate copy of all exhibits.

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1. Counsel and/or the parties shall submit all exhibits to this Division by 5:00 p.m. on January 7, 2014. Exhibits shall not be filed at the Clerk of Court filing counter.

2. The exhibit packet shall contain a title page which states the case number, whether the exhibits are Petitioner's or Respondent's and the date for the hearing. Failure to clearly indicate which party is presenting the exhibits may result in the exhibits being marked incorrectly or not marked at all.

3. Each exhibit shall be stapled if it contains more than one page. Each exhibit shall be clearly separated from the other exhibits, preferably by placing a colored page in between each exhibit. Do not staple the colored pages to the exhibits. Do not write or type on the colored pages. The clerk will reuse the colored pages if they are left blank. Failure to clearly separate each exhibit may result in the exhibits being marked differently than counsel and/or the parties intended, such as multiple exhibits being marked as one exhibit.

4. The exhibits shall be marked in the order received. For example, if Respondent's exhibits are received first, Respondent's exhibits will be marked first, i.e., Respondent's exhibits 1 through 5, and Petitioner's exhibits will follow Respondent's exhibits in number, i.e., Petitioner's exhibits 6 through 10.

5. Duplicate exhibits shall not be presented.

6. The parties shall provide the adverse party with a separate copy of all exhibits.

Information regarding exhibits for parties not represented by counsel:

The Court does not automatically review exhibits. Each party will need to offer his/her exhibits into evidence during the hearing by stating to the Court that he/she is offering exhibit(s) 1, 2, 3, etc. The party will need to explain the relevance of each exhibit to the Court. Exhibits that are not received into evidence during the hearing will be returned to the party at the conclusion of the hearing without the Court reviewing the exhibit(s).

**SETTLEMENT**

**IT IS FURTHER ORDERED** in the event a full settlement is reached prior to the time of hearing, the parties or counsel, if represented, **shall** present the formal written Judgment or the agreement signed and notarized by all parties, prior to 5:00 p.m. the **day prior to** the scheduled hearing [if set on the Court's morning calendar the following day, e.g., 9:00 to 11:55 a.m.] or **not later than** 9:00 a.m. on the day of hearing [if the hearing is set on the Court's afternoon calendar, e.g., 1:30 to 4:55 p.m.].

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**In the event the agreement has not been reduced to writing, all parties and their counsels, if represented, shall appear at the time designated for hearing to recite the agreement on the record and have it entered as the order of the court pursuant to *Rule 69, (Arizona Rules of Family Law Procedure hereinafter AzRFLP)*.**

If the signed Judgment or agreement is not received by the Court pursuant to these guidelines, and the parties and/or their respective counsels, if any, fail to appear as ordered, the Court **shall dismiss the case in its entirety, without prejudice** and the matter **will not** be reinstated but for the most compelling of reasons. See *Rule 70(B)*.

**IF ONLY ONE PARTY APPEARS, THE COURT MAY ENTER A DEFAULT AGAINST THE ABSENT PARTY, AND ALLOW THE PARTY THAT APPEARS TO PROCEED BY DEFAULT AND/OR ISSUE A CIVIL ARREST FOR THE PARTY WHO FAILS TO APPEAR. IF BOTH PARTIES FAIL TO APPEAR, THE ENTIRE CASE MAY BE DISMISSED, WITHOUT FURTHER NOTICE TO EITHER PARTY.**

**IT IS FURTHER ORDERED** signing this minute entry as a formal order of this Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/s/ Honorable Jose S. Padilla

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The Honorable Jose S. Padilla  
Judge of the Superior Court

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.